

To: Nina Bell

From: Christine Psyk (cc Lynda Hall, Joelle Gore)

Re: Federal Agencies' Review of Oregon CZARA

Date: ~~September~~ July 30, 2014

~~Per our earlier commitment to you, below is an~~ In accordance with our June 4, 2014, letter, we are providing the following update on our review of comments on our earlier proposed action on Oregon's Coastal Nonpoint Program, as well as the development of responses to those comments. ~~Per our June 4th letter, we will provide our final further updates at the end of September and at the end of November.~~

~~To date~~Since our report in late July, NOAA and EPA have completed the following:

- ~~Posted all comments received, including the state's response, on NOAA's website for public viewing at http://coastalmanagement.noaa.gov/nonpoint/pro_approve.html#Oregon (January-April)~~
- ~~Sent letter dated June 30, 2014, to the agency heads at the Oregon Department of Environmental Quality and Department of Land Conservation and Development that NOAA and EPA intend to take final action by January 30, 2015, on the federal agencies' proposed determination that Oregon has failed to submit an approvable coastal nonpoint program.~~
- ~~Established a process and schedule for reviewing and carefully considering all comments and developing responses to them. (June)~~
- ~~Categorized all comments received into seven major categories and numerous subcategories, to aid in review. (June)~~
- ~~Set up five topic teams to lead review and discussion for various aspects of Oregon's program and prepare written responses to the comments and update the proposed decision rationales, as needed (i.e., new development, onsite sewage disposal systems, forestry riparian areas, forestry landslides, forestry roads, forestry pesticides, agriculture). (June)~~
- ~~Held regular meetings for various groups (June to present)~~ to continue inter-agency discussions on Oregon's program in consideration of the public comments received and the State's response. Issues discussed included: new development, OSDS, forestry-landslides, forestry-pesticides, forestry-riparian, forestry-roads, and agriculture:
 - Topic team (weekly ~~or more frequently as needed~~): to discuss public comments, state submission, and potential responses to comments and changes needed to proposed decision rationales.
 - Technical team (weekly): to share progress of topic teams, get feedback from full technical team, ~~see up identify~~ specific legal questions or decision points for legal and management teams, respectively, and ensure coordination among topic teams.
 - Managerial team (monthly ~~through August, weekly during September or more frequently as needed~~): to provide programmatic guidance to technical team and weigh in on critical decision points.
 - Legal team (monthly ~~or more frequently as needed~~): to provide legal guidance to technical and managerial teams.
 - Managerial/Legal/Technical team (monthly through August, weekly during September)

Formatted: Underline

- Continued to hold initial inter-agency discussions on the following aspects of Oregon's program in consideration of the public comments received and the state's response (new development, OSDS, forestry landslides, forestry pesticides, agriculture, forestry riparian, forestry roads). (May-September/July)
- In the process of Began drafting Continued development of responses to comments and/or updates into proposed decision rationales:
 - Response to general comments: Drafted summary comments for general aspects of Oregon's Coastal Nonpoint Program and responses.
 - New Development: Updated decision rationale, drafted summary comments, and drafting responses.
 - OSDS: Updated decision rationale, drafted summary comments, and drafting responses.
 - Forestry-riparian: Updated decision rationale, drafted summary comments, and drafting responses.
 - Forestry-Landslide: Updated decision rationale, drafted summary comments, and drafting responses.
 - Forestry-Roads: Updating decision rationale, drafted summary comments, and drafting responses.
 - Forestry-Pesticides: Updating decision rationale, drafted summary comments, and drafting responses.
 - Agriculture: Drafted summary comments, and drafting responses. related to general program issues, new development, OSDS, and forestry/ landslides, forestry/riparian zones, forestry/pesticides, and forestry/legacy roads and agriculture

Commented [AC1]: Not sure if this is too detailed but providing more specifics on the status of each may help give NWEA assurance that we are making progress and not just haven't a lot of conversations about things.

Formatted

Commented [AC2]: These won't take much time to develop responses to. Don, if you could get done by the end of the month, we could change the verb tense here.

Commented [AC3]: May be able to change the tense of this before the end of the month.

(b)(5) Atty-Client

(b)(5) Atty-Client

Feel free to contact me via email or at 206-553-1906 or Joelle Gore at joelle.gore@noaa.gov or 301-563-1177 with any questions.